

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

v.

No. 09-cv-1021 SMV/LAM

CHARLES R. KOKESH,

Defendant.

FINAL JUDGMENT

A jury, having returned a verdict in favor of Plaintiff and against Defendant on all counts, and the Court, having granted Plaintiff's Motion for Entry of Judgment [Doc. 176] in a Memorandum Opinion and Order entered concurrently herewith,

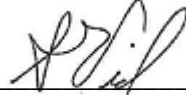
IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that judgment is entered in favor of Plaintiff.

IT IS FURTHER ORDERED that Defendant shall pay a civil penalty in the amount of \$2,354,593 pursuant to Section 21(d) of the Exchange Act, Section 209(e) of the Advisers Act, and Section 42(e) of the Investment Company Act, 15 U.S.C. §§ 78u(d); 80b-9(e), and 80a-41(e), **within 30 days** of entry of this Order.

IT IS FURTHER ORDERED that Defendant is permanently enjoined from directly or indirectly violating Section 206(1) and (2) of the Investment Advisers Act; Section 13(a) of the Exchange Act and Exchange Act Rules 12b-20, 13a-1, and 13a-13; Section 14(a) of the Exchange Act and Exchange Act Rule 14a-9; Section 37 of the Investment Company Act, and Section 205(a) of the Investment Advisers Act.

IT IS FURTHER ORDERED that Defendant shall disgorge \$34,927,329, together with prejudgment interest thereon in the amount of \$18,077,103.37, **within 30 days** of entry of this Order.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge
Presiding by Consent